

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
CARLOS RUIZ,

Petitioner,

-against-

Cyrus Vance,

Respondent.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 12/13/2023

19 Civ. 3188 (AT) (KHP)

ORDER

Before the Court is the Report and Recommendation (“R&R”), ECF No. 71, from the Honorable Katharine H. Parker, recommending that the petition for a writ of habeas corpus be denied in its entirety and that the case be dismissed.

On April 10, 2019, Petitioner *pro se*, Carlos Ruiz, filed an application under 28 U.S.C. § 2254, challenging his New York state court conviction for criminal sale of a controlled substance in the first degree, criminal sale of a controlled substance in the third degree, and criminal possession of a controlled substance in the third degree. ECF 1-1 ¶ 5. Petitioner filed an amended petition on October 18, 2022. ECF No. 67.

After careful consideration, Judge Parker issued the R&R, proposing that the Court deny the petition for a writ of habeas corpus. *See* R&R at 26. Despite notification of the right to object to the R&R, no objections were filed, and the time to do so has passed. *Id.* at 28; *see* Fed. R. Civ. P. 72(b)(2). When no objection is made, the Court reviews the R&R for clear error. *See Whitley v. Bowden*, No. 17 Civ. 3564, 2019 WL 1953941, at *1 (S.D.N.Y. May 1, 2019) (collecting cases). The Court finds no clear error.

Accordingly, the Court ADOPTS Judge Parker’s R&R in its entirety. Petitioner’s application for relief under 28 U.S.C. § 2254 is DENIED. The Clerk of Court is directed to enter judgment consistent with this order and the R&R.

SO ORDERED.

Dated: December 13, 2023
New York, New York


ANALISA TORRES
United States District Judge